

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA, §
§
Plaintiff, §
§
v. § CRIMINAL NO. SA-24-CR-00178-XR
§
§
(3) GLENN RAY MCGARITY §
(6) JOHN HENRY CASSANOVA, §
§
§
Defendants. §

BILL OF PARTICULARS FOR FORFEITURE OF PROPERTIES

Comes now the United States of America, by and through the United States Attorney for the Western District of Texas and the undersigned Assistant United States Attorney, and files the following Bill of Particulars for Forfeiture of Properties.

The Second Superseding Indictment (Doc. 102), returned on October 2, 2024, gave notice that the United States seeks the criminal forfeiture of certain property pursuant to Title 18 U.S.C. §§ 981(a)(1)(C) and 924, made applicable to criminal forfeiture by Title 28 U.S.C. § 2461(c), and pursuant to Title 18 U.S.C. § 934(a)(1)(A) and (B) from the Defendants. Specifically, this Bill of Particulars seeks the criminal forfeiture of property which are included herein.

The United States hereby gives notice that it seeks the criminal forfeiture of certain property from the Defendant for the violations of Title 18 U.S.C. §§ 2113(a) and (d), 1951(a), 933(a)(3), 922(g)(1), and 924(c)(1)(A)(ii) as follows:

NOTICE OF UNITED STATES OF AMERICA'S DEMAND FOR FORFEITURE

[See Fed. R. Crim. P. 32.2]

I.

Bank Robbery Violations and Forfeiture Statutes

[Title 18 U.S.C. §§ 2113(a) and (d), and 1951(a), subject to forfeiture pursuant to Title 18 U.S.C. §§ 981(a)(1)(C) and 924(d)(1), made applicable

[to criminal forfeiture by Title 28 U.S.C. § 2461(c)]

As a result of the criminal violations set forth in Counts One, Four, Five, Seven, Eight, Ten, Eleven, Thirteen, Fourteen, Nineteen, and Twenty of the Second Superseding Indictment, the United States of America gives notice to the Defendants of its intent to seek the forfeiture of the property described below upon conviction pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. §§ 981(a)(1)(C) and 924(d)(1), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461(c), which states:

Title 18 U.S.C. § 981. Civil forfeiture

(a)(1) The following property is subject to forfeiture to the United States:

(C) Any property, real or personal, which constitutes or is derived from proceeds traceable to . . . any offense constituting “specified unlawful activity” (as defined in section 1956(c)(7) of this title), or a conspiracy to commit such offense.

Bank Robbery violations are offenses constituting “specified unlawful activity” as defined in Title 18 U.S.C. § 1956(c)(7).

Title 18 U.S.C. § 924. Penalties

(d)(1) Any firearm or ammunition involved in or used in . . . violation of any other criminal law of the United States. . . shall be subject to seizure and forfeiture . . . under the provisions of this chapter. . .

II.**Firearm Violation and Forfeiture Statutes**

[Title 18 U.S.C. § 933(a)(3) subject to forfeiture pursuant to Title 18 U.S.C. § 934(a)(1)(A) and (B)]

As a result of the criminal violation set forth in Count Two of the Second Superseding Indictment, the United States of America gives notice to Defendant GLENN RAY MCGARITY of its intent to seek the forfeiture of the property described below upon conviction and pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. § 934(a)(1)(A) and (B), which state:

Title 18 U.S.C. § 934. Forfeiture and Fines.

(a) Forfeiture. --

(1) In general. -- Any person convicted of a violation of section 932 or 933 shall forfeit to the United States, irrespective of any provision of State law--

(A) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation; and

(B) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation . . .

III.

Firearm Violations and Forfeiture Statutes

[Title 18 U.S.C. §§ 922(g)(1), 924(c)(1)(A)(ii), and 933(a)(3), subject to forfeiture pursuant to Title 18 U.S.C. § 924(d)(1), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461(c)]

As a result of the criminal violations set forth in Counts Two, Three, Six, Nine, Twelve, Fifteen, and Twenty-One of the Second Superseding Indictment, the United States of America gives notice to the Defendants of its intent to seek the forfeiture of the property described below upon conviction and pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. § 924(d)(1), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461(c), which states:

Title 18 U.S.C. § 924. Penalties

(d)(1) Any firearm or ammunition involved in or used in any knowing violation of subsection...g...of section 922. . . or knowing violation of section 924 ...or 933. . . shall be subject to seizure and forfeiture. . . under the provisions of this chapter. . .

This Notice of Demand for Forfeiture includes but is not limited to the following:

1. Glock, Model: 26, 9mm caliber handgun, serial number BGXE396 seized from John Henry Casanova;
2. Smith & Wesson, Model: M&P 5.7, 5.7x 28mm caliber handgun, serial number PJW1623 seized from Glenn Ray McGarity; and
3. Any and all firearms, ammunition, and/or accessories involved in or used in the commission of the criminal offenses.

Respectfully submitted,

MARGARET F. LEACHMAN
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By: /s/
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CERTIFICATE OF SERVICE

I hereby certify that on March 18, 2025, a true and correct copy of the foregoing instrument was electronically filed with the Clerk of the Court using the CM/ECF System which will transmit notification of such filing to counsel of record.

/s/
RAY A. GATTINELLA
Assistant United States Attorney